

REMARKS

This Amendment and Response is submitted in reply to the Final Office Action dated July 26, 2007, in which the Examiner rejected claims 5 and 6 under 35 U.S.C. § 103(a) as unpatentable over European Patent Application Publication EP 1 085 484 A2 to Nozaki in view of U.S. Patent No. 5,470,233 to Fruchterman et al.

Applicants respectfully traverse the rejection below. Claims 5 and 6 are currently pending. The current Amendment adds new claims 11-13, leaving claims 5, 6 and 11-13 pending upon entrance of the current Amendment. Claim 5 is the only independent claim.

Claim 5 was rejected under 35 U.S.C. § 103(a) as unpatentable over Nozaki in view of Fruchterman. A claim rejection under § 103 is improper unless the prior art references, alone or in combination, teach or suggest *each* and *every* claim recitation.

Applicants' claim 5 recites a method of supporting a self-sustained moving comprising the steps of inputting physical disability information and a destination from a communication terminal, computing a guide route of a sidewalk according to the physical disability information based on the physical disability information inputted from the communication terminal and sidewalk data stored in a database, the sidewalk data correlating to the physical disability information, combining the computed guide route with a map data stored in the database to output it as an electronic map, and displaying the electronic map showing the guide route on the communication terminal, wherein the step of computing the guide route includes preferentially computing the sidewalk that has been passed by a plurality of users having similar physical disability information.

Nozaki does not show or disclose each and every recitation of Applicants' amended claim 5. For example, Nozaki does not teach or suggest a method of supporting a self-sustained moving wherein the step of computing the guide route includes preferentially computing the sidewalk that has been passed by a

plurality of users having similar physical disability information. Instead, Nozaki's route setting appears to be based exclusively on information about the route, itself, such that there is no preference for a route previously used by users with similar characteristics. In fact, Nozaki expressly discloses:

Moreover, in the case in which the user is to specify the *same* two points again to set a route, he (she) can get an opportunity for a new discovery related to area information if a route *different* from the set route is set. (Nozaki, paragraph [0091]; emphasis added.)

The foregoing reveals that, if anything, Nozaki *teaches away* from preferentially setting a route previously used by users with similar characteristics.

Fruchterman does not add to the teachings of Nozaki, at least in that Fruchterman also does not teach or suggest a method of supporting a self-sustained moving wherein the step of computing the guide route includes preferentially computing the sidewalk that has been passed by a plurality of users having similar physical disability information. Instead, Fruchterman teaches that a user can "let the Sextant software determine the *shortest* route between the points." (Fruchterman, col. 4, lines 48-54; emphasis added.)

Additionally, Fruchterman's disclosure regarding allowing a single blind user to store *his or her own* route preferences (see, e.g., Fruchtermnan, col. 4, lines 16-54) does not teach or suggest preferentially computing a guide route based on which sidewalks *other* blind users have passed, unlike the method recited by Applicants' claim 5. In fact, Fruchterman does not even appear to teach or suggest that its system would even store, or have access to, information on routes taken by any *other* users.

In the Advisory Action, dated October 11, 2007, the Examiner erroneously states that "Nozaki teaches the step computing the guide route includes preferentially computing the sidewalk." (See Advisory Action, continuation sheet). Rather, Nozaki teaches the computation of a driving route such that highways are given priority. (paragraph [0005]). However, Nozaki does not teach computation of a pedestrian route, where preferential treatment is given to sidewalks based on sidewalk data from other users with similar physical disability information. The Examiner further asserts, "Fruchterman discloses about a plurality of users having similar physical disabilities." (See Advisory

Action, continuation sheet). Fruchterman does disclose a system for use by a plurality of users with the same disability. (see Abstract). As the Examiner points out, Fruchterman also discloses a system that is not specific to automobiles, but rather determines a user's position relative to street addresses, incorporating places that automobiles cannot travel, such as an alley. (See Fruchterman, col. 2, lines 59-61; col. 16, lines 47-48). However, like Nozaki, Fruchterman fails to teach computation of a pedestrian route, where preferential treatment is given to sidewalks based on sidewalk data from other users with similar physical disability information.

Thus, neither Nozaki nor Fruchterman, nor the combination thereof, teaches or suggests each and every recitation of Applicants' claim 5. Additionally, Nozaki teaches away from modification in such a manner so as to teach or suggest the recitations of Applicants' claim 5. Accordingly, Applicants respectfully submit that the rejection of claim 5 under 35 U.S.C. § 103(a) as unpatentable over Nozaki in view of Fruchterman is improper for at least this reason, and should be withdrawn.

Claim 6 was also rejected 35 U.S.C. § 103(a) as unpatentable over Nozaki in view of Fruchterman. Claim 6 depends directly from claim 5 and includes additional recitations thereto. Accordingly, Applicants respectfully submit that the rejection of claim 6 under 35 U.S.C. § 103(a) as unpatentable over Nozaki in view of Fruchterman is improper for at least this reason, and should be withdrawn.

Applicants respectfully submit that nothing in the current Amendment constitutes new matter. New claim 11 is supported by at least paragraph [0033] of the current Specification and new claims 12 and 13 are supported by at least paragraph [0075]. Additionally, new claims 11-13 depend from the previously-presented claim 5, which are allowable over the cited prior art references for at least the reasons set forth above. Furthermore, new claim 11 recites that the physical disability information includes use of a wheelchair, which recitation is not taught or suggested by the prior art of record, either alone or in combination.

Application No.: 10/519,859
Final Office Action dated: July 26, 2007
Response to Final Office Action dated: October 26, 2007

Claims 13 and 13 recite that the sidewalk data includes barrier information for moving in a wheelchair which is not taught or supported by the prior art of record. Accordingly, Applicants respectfully request that new claims 11-13 be entered, and claims 5, 6 and 11-13 be passed to issue.

Applicant believes no additional fees are due in connection with this Amendment and Response, beyond those already submitted. If any additional fees are deemed necessary, authorization is granted to charge any such fees to Deposit Account No. 13-0235.

Respectfully submitted,

By /Marina F. Cunningham/
Marina F. Cunningham
Registration No. 38,419
Attorney for the Applicant

McCORMICK, PAULDING & HUBER LLP
CityPlace II, 185 Asylum Street
Hartford, CT 06103-3402
(860) 549-5290
Customer No.: 35301